

Senate Bill No. 1639

Passed the Senate August 27, 2004

Secretary of the Senate

Passed the Assembly August 24, 2004

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day of
_____, 2004, at _____ o'clock __M.

Private Secretary of the Governor

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CHAPTER _____

An act to amend Sections 79202 and 79203 of, and to add Section 66019.3 to, the Education Code, and to amend Section 16001.9 of the Welfare and Institutions Code, relating to CalWORKs.

LEGISLATIVE COUNSEL'S DIGEST

SB 1639, Alarcon. CalWORKs recipients: education and training.

Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program under which each county provides cash assistance and other benefits to qualified low-income families and individuals. Existing law requires CalWORKs recipients, unless exempt, to participate in welfare-to-work activities as a condition of eligibility for benefits.

Existing law requires that, to the extent that funding is provided in the annual Budget Act, a community college shall receive funding for educational services provided to CalWORKs recipients based on the number of CalWORKs recipients that are enrolled at the community college and the scope and number of programs that the college plans to offer to assist CalWORKs recipients to obtain employment. Existing law also requires that, prior to receiving funding, a community college shall submit to the chancellor a Request for Application which contains a plan for curriculum development or redesign, including participation by the county welfare department to establish that the programs being developed or redesigned will provide CalWORKs recipients with the training and experience necessary to secure employment.

This bill would revise that element of the required plan to provide that the vocational curricula for CalWORKs recipients includes English language proficiency.

Existing law provides that, to the extent that funding is provided in the annual Budget Act, funds received by a community college for curriculum development or redesign for CalWORKs recipients may be expended for purposes, including the development or redesign of vocational curricula for CalWORKs recipients so that courses may be offered as part of a short-term intensive program, including Open Entry and Open Exit programs.



This bill would include intensive English language immersion within the scope of that authorization.

Existing law establishes the California Community Colleges, the California State University, and the University of California as the 3 segments of public postsecondary education in the state.

This bill would express the intent of the Legislature to encourage the California Community Colleges, the California State University, and the University of California to disseminate information to foster care agencies regarding admissions requirements and financial aid. The bill would also request the Regents of the University of California and the Trustees of the California State University to explore methods of using the admissions-by-exemption category to assist the transition of students in foster care into 4-year public institutions of higher education.

Existing law declares that it is the policy of the state that all children in foster care have prescribed rights.

This bill would add to these prescribed rights of children in foster care the right, at 16 years of age or older, to have access to existing information regarding the educational options available, including, but not limited to, the coursework necessary for vocational and postsecondary educational programs, and information regarding financial aid for postsecondary education.

The bill would encourage the State Department of Social Services and each county welfare department to work with the Student Aid Commission, the University of California, the California State University, and the California Community Colleges to receive information pertinent to a participant's educational options.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) Education breaks the cycle of poverty. Individuals who receive a bachelor's degree reduce their chances of living in poverty by 80 percent. Further, research indicates that postsecondary education and training, including career technical, Vocational ESL (VESL), and adult basic education, are the most



reliable routes to self-sufficiency for underserved populations, in particular low-income parents and foster youth.

(2) Postsecondary education and job training lead to higher earnings in the long run and greater success in the labor market, particularly for low-income adults with children. Studies show that low-income adults with children and without a high school diploma can increase their future earnings by 94 percent if they enroll in a California community college and complete an associate degree.

(3) High-quality, language-accessible training and education increase employment rates and earnings for low-income, immigrant parents. Studies show that immigrant parents who are English proficient are employed at three times the rate of parents who do not speak English well, with earnings that are 46 percent higher than that of parents with limited English proficiency.

(4) Children whose parents have completed postsecondary education and training are more likely to succeed in school and to attend college themselves. Supporting parents' access to postsecondary education and training, including VESL programs and associate degrees, promotes intergenerational achievement, and enables poor families to break the cycle of poverty.

(5) Low-income parents and foster youth face numerous barriers in accessing quality education and training opportunities, including lack of information about postsecondary education preparation and lack of access to adequate student financial aid information. In the absence of quality postsecondary education and training opportunities, many parents are relegated to unskilled, low-wage jobs that offer little hope for advancement and little chance for economic stability. Sixty-eight percent of adults in California who are working poor have a high school diploma or less.

(6) Likewise, while more than half of high school graduates go on to college, less than 25 percent of foster youth in California enroll in college. Consequently, a disproportionate number of foster youth are homeless, dependent on public assistance, unemployed and living in poverty.

(b) It is, therefore, the intent of the Legislature to accomplish all of the following:

(1) Enable residents to reach self-sufficiency and to develop a state Student Parent Scholar grant program to provide support to



low-income parents who are engaged in postsecondary education and training programs.

(2) Increase access to higher education and training for foster care students by reducing informational barriers.

(3) Ensure that programs operated with federal Temporary Aid to Needy Families (TANF) block grant funds promote education and training for jobs that offer self-sufficient wages, integrate English as a Second Language (ESL) and VESL into job training programs, and provide opportunities for intensive English language immersion courses.

SEC. 2. Section 66019.3 is added to the Education Code, to read:

66019.3. (a) It is the intent of the Legislature to encourage the California Community Colleges, the California State University, and the University of California to disseminate information to foster care agencies regarding admissions requirements and financial aid.

(b) The Legislature requests the Regents of the University of California and the Trustees of the California State University to explore methods of using the admissions-by-exemption category to assist the transition of students in foster care into four-year public institutions of higher education.

SEC. 3. Section 79202 of the Education Code is amended to read:

79202. To the extent that funding is provided in the annual Budget Act, a community college shall receive funding for educational services provided to CalWORKs recipients based on the number of CalWORKs recipients that are enrolled at the community college and the scope and number of programs that the college plans to offer to assist CalWORKs recipients obtain employment. Prior to receiving funding, a community college shall submit to the chancellor a Request for Application which contains a plan for curriculum development or redesign. The plan shall include all of the following:

(a) Evidence that the curriculum will prepare students for an occupation that is in demand in the local labor market or that is in an emerging field that has documented employment potential.

(b) Participation by the county welfare department to establish that the programs being developed or redesigned will provide CalWORKs recipients with the training and experience necessary



to secure employment, including intensive English language proficiency.

(c) Evidence of collaboration with local partners, such as employers, private industry councils, regional occupational programs, adult education providers, and affected counties in the development and design of the curriculum.

(d) Procedures to monitor CalWORKs recipients who complete the new curricula and transition into employment.

(e) A description of new courses for CalWORKs recipients that are designed to aid recipients with job-related advancement.

SEC. 4. Section 79203 of the Education Code is amended to read:

79203. To the extent that funding is provided in the annual Budget Act, funds received by a community college for curriculum development or redesign for CalWORKs recipients may be expended for all of the following purposes:

(a) To develop or redesign vocational curricula for CalWORKs recipients so that courses may be offered as part of a short-term intensive program, including Open Entry and Open Exit programs, and including intensive English language immersion.

(b) To link CalWORKs courses to job placement through work experience and internships.

(c) To redesign basic education and ESL classes so that they may be integrated with vocational training programs.

(d) To expand the use of telecommunications in providing the new curricula to CalWORKs recipients.

SEC. 5. Section 16001.9 of the Welfare and Institutions Code is amended to read:

16001.9. (a) It is the policy of the state that all children in foster care shall have the following rights:

(1) To live in a safe, healthy, and comfortable home where he or she is treated with respect.

(2) To be free from physical, sexual, emotional, or other abuse, or corporal punishment.

(3) To receive adequate and healthy food, adequate clothing, and, for youth in group homes, an allowance.

(4) To receive medical, dental, vision, and mental health services.

(5) To be free of the administration of medication or chemical substances, unless authorized by a physician.



(6) To contact family members, unless prohibited by court order, and social workers, attorneys, foster youth advocates and supporters, Court Appointed Special Advocates (CASA), and probation officers.

(7) To visit and contact brothers and sisters, unless prohibited by court order.

(8) To contact the Community Care Licensing Division of the State Department of Social Services or the State Foster Care Ombudsperson regarding violations of rights, to speak to representatives of these offices confidentially, and to be free from threats or punishment for making complaints.

(9) To make and receive confidential telephone calls and send and receive unopened mail, unless prohibited by court order.

(10) To attend religious services and activities of his or her choice.

(11) To maintain an emancipation bank account and manage personal income, consistent with the child's age and developmental level, unless prohibited by the case plan.

(12) To not be locked in any room, building, or facility premises, unless placed in a community treatment facility.

(13) To attend school and participate in extracurricular, cultural, and personal enrichment activities, consistent with the child's age and developmental level.

(14) To work and develop job skills at an age-appropriate level that is consistent with state law.

(15) To have social contacts with people outside of the foster care system, such as teachers, church members, mentors, and friends.

(16) To attend Independent Living Program classes and activities if he or she meets age requirements.

(17) To attend court hearings and speak to the judge.

(18) To have storage space for private use.

(19) To review his or her own case plan if he or she is over 12 years of age and to receive information about his or her out-of-home placement and case plan, including being told of changes to the plan.

(20) To be free from unreasonable searches of personal belongings.

(21) To confidentiality of all juvenile court records consistent with existing law.



(22) To have fair and equal access to all available services, placement, care, treatment, and benefits, and to not be subjected to discrimination or harassment on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status.

(23) At 16 years of age or older, to have access to existing information regarding the educational options available, including, but not limited to, the coursework necessary for vocational and postsecondary educational programs, and information regarding financial aid for postsecondary education.

(b) Nothing in this section shall be interpreted to require a foster care provider to take any action that would impair the health and safety of children in out-of-home placement.

(c) The State Department of Social Services and each county welfare department are encouraged to work with the Student Aid Commission, the University of California, the California State University, and the California Community Colleges to receive information pursuant to paragraph (23) of subdivision (a).



Approved _____, 2004

Governor

